

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: REQUEST FOR (1) MINIMUM FRONT YARD SETBACK VARIANCE FROM 25 FEET TO 15 FEET, (2) MINIMUM REAR YARD SETBACK VARIANCE FROM 30 FEET TO 13 FEET FOR A PROPOSED HOME IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (VERNON THOMPSON, APPLICANT).

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Kathy Fall **CONTACT:** Michael Rumer **EXT.** 7387

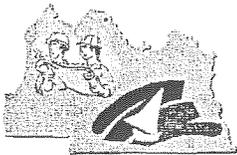
Agenda Date 09/26/05 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** REQUEST FOR (1) MINIMUM FRONT YARD SETBACK VARIANCE FROM 25 FEET TO 15 FEET, (2) MINIMUM REAR YARD SETBACK VARIANCE FROM 30 FEET TO 13 FEET FOR A PROPOSED HOME IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (VERNON THOMPSON, APPLICANT); OR
2. **DENY** REQUEST FOR (1) MINIMUM FRONT YARD SETBACK VARIANCE FROM 25 FEET TO 15 FEET, (2) MINIMUM REAR YARD SETBACK VARIANCE FROM 30 FEET TO 13 FEET FOR A PROPOSED HOME IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (VERNON THOMPSON, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	APPLICANT: VERNON THOMPSON LOCATION: LOT 1-5 SANLANDO SPRINGS TRACT 31 ZONING: R-1AA (SINGLE-FAMILY DWELLING DISTRICT)
BACKGROUND/REQUEST	<ul style="list-style-type: none"> • THE APPLICANT PROPOSES TO CONSTRUCT A SINGLE-FAMILY HOME ON A VACANT PARCEL THAT CONTAINS FIVE PLATTED LOTS. THE LOTS WERE PLATTED BEFORE THE COUNTY HAD SUBDIVISION REQUIREMENTS. THE LOTS WERE PLATTED IN A PIE SHAPE WHICH REQUIRES VARIANCES TO THE FRONT AND REAR SETBACK IN ORDER TO MAKE THE PARCEL BUILDABLE. • THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.
STAFF FINDINGS	THE APPLICANT HAS SATISFIED THE CRITERIA FOR THE GRANT OF THE REQUESTED VARIANCES. STAFF HAS

	<p>DETERMINED THAT:</p> <ul style="list-style-type: none">• THE SUBJECT PROPERTY WAS PLATTED ON JUNE 14, 1926 AS TRACT 31 OF SANLANDO SPRINGS.• POLICY FLU 3.2, ADOPTED ON SEPTEMBER 11, 1991, REQUIRES THE RECOMBINATION OF PROPERTIES WHEN VARIANCES CAN BE NEGATED. ACCORDING TO SEMINOLE COUNTY REAL PROPERTY RECORDS, THE SUBJECT PARCEL WAS COMBINED WITH LOTS 6 & 7 UNTIL 2003. A SINGLE-FAMILY HOME EXISTS ON LOT 7 AND COMBINED WITH LOT 6, EXCEEDS ZONING REQUIREMENTS.• THE PROPOSED LOT DOES NOT CAUSE ENVIRONMENTALL CONCERNS SINCE THE LOT FRONTS A PAVED ROAD WAY. UTILITIES TO THE SITE WILL BE SERVED BY SEMINOLE COUNTY WATER AND SEPTIC.• THE CONDITIONS ARE PECULIAR TO THE LAND AND ARE NOT APPLICABLE TO OTHER LANDS, STRUCTURES, OR BUILDINGS IN THE SAME ZONING CLASSIFICATION.• THE VARIANCES ARE THE MINIMUM THAT WOULD MAKE POSSIBLE THE REASONABLE USE OF THE PROPERTY.• WITHOUT THE REQUESTED VARIANCES, NO REASONABLE USE OF THE SUBJECT PROPERTY CAN BE MADE FOR CONSTRUCTING A SINGLE-FAMILY HOME, A USE EXPRESSLY PERMITTED IN THE R-1AA DISTRICT.
<p>STAFF RECOMMENDATION</p>	<p>BASED ON THE ABOVE STANDARDS FOR GRANTING VARIANCES AND STAFF FINDINGS, STAFF RECOMMENDS THE BOARD OF ADJUSTMENT APPROVE THE REQUEST SUBJECT TO THE FOLLOWING CONDITION AND MAKE APPROPRIATE FINDINGS OF FACT:</p> <ul style="list-style-type: none">• ANY VARIANCES GRANTED SHOULD APPLY ONLY TO THE EXISTING LOT AND HOME AS DEPICTED ON THE ATTACHED SITE PLAN; AND• ANY ADDITIONAL CONDITIONS DEEMED APPROPRIATE BY THE BOARD, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT
 PLANNING DIVISION
 1101 EAST FIRST STREET
 SANFORD, FL 32771
 (407) 665-7444 PHONE (407) 665-7385 FAX APPL. NO. BV 2005-119

APPLICATION TO THE SEMINOLE COUNTY BOARD OF ADJUSTMENT

Applications to the Seminole County Board of Adjustment shall include all applicable items listed in the Board of Adjustment Process Checklist. No application will be scheduled for Board of Adjustment consideration until a complete application (including all information requested below) has been received by the Planning & Development Department, Planning Division. Applications for SPECIAL EXCEPTION shall only be received for processing following pre-application conference.

APPLICATION TYPE:

- VARIANCE** PERMISSION TO REDUCE SETBACK IN FRONTYARD FROM 25' TO 15'. AND ALLOW A REDUCTION OF REAR YARD FROM 30 TO 13.
- SPECIAL EXCEPTION** DUE TO IRREGULAR SITE SIZE & SHADE, WE ARE WILLING TO USE ALL 5 LOTS TO BE DEDICATED TO THIS HOUSE.
- LIMITED USE** DUE TO THE IRREGULAR SHAPE OF THE PROPERTY WE ARE ASKING FOR PERMISSION TO BUILD A 2 LEVEL SINGLE FAMIL DWELLING
 - SF DWELLING UNDER CONSTRUCTION
 - MEDICAL HARDSHIP
 - NIGHT WATCHMAN
 - FAMILY HARDSHIP
 - YEAR OF MOBILE HOME / RV (EXISTING _____) (PROPOSED _____)
 - SIZE OF MOBILE HOME / RV _____
 - TIME NEEDED _____
 - PLAN TO BUILD YES NO IF SO, WHEN _____
- APPEAL FROM DECISION OF THE PLANNING MANAGER**

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	ORLANDO PROPERTY GROUP	VERNON J. THOMPSON
ADDRESS	320 SABAL PALM LN LONG WOOD, FLA 32779	
PHONE 1	407-739-7891	
PHONE 2		
E-MAIL		

PROJECT NAME: ORLANDO PROPERTY GROUP
 SITE ADDRESS: NORTH STREET, LONG WOOD FLORIDA
 CURRENT USE OF PROPERTY: VACANT LOTS (1-5 LOTS)
 LEGAL DESCRIPTION: LOTS 1-5 BLOCK F SAWLAND SPRINGS TRACT
NO 31, ACCORDING TO THE PLAT THEREOF AS RECORDED IN P.B. 5 PG 15.
 SIZE OF PROPERTY: 68.08 X 635 acre(s) PARCEL I.D. 01-21-29-56K-310F-0010
 UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER _____
 KNOWN CODE ENFORCEMENT VIOLATIONS N/A

IS PROPERTY ACCESSIBLE FOR INSPECTION YES NO

This request will be considered at the Board of Adjustment regular meeting on 9 / 26 / 05 (mo/day/yr), in the Board Chambers (Room 1028) at 6:00 p.m. on the first floor of the Seminole County Services Building, located at 1101 East First Street in downtown Sanford, FL.

I hereby affirm that all statements, proposals, and/or plans submitted with or contained within this application are true and correct to the best of my knowledge.

[Handwritten Signature]

SIGNATURE OF OWNER OR AGENT*

8/2/05
DATE

* Proof of owner's authorization is required with submittal if signed by agent.

ADDITIONAL VARIANCES

VARIANCE 2:

REDUCTION OF SITE SETBACKS FROM 25' TO 15 IN THE FRONT AND FROM 30 TO 13 IN THE REAR.

VARIANCE 3:

VARIANCE 4:

VARIANCE 5:

VARIANCE 6:

VARIANCE 7:

APPEAL FROM BOA DECISION TO BCC

APPELLANT INFORMATION

NAME	
ADDRESS	
PHONE 1	
PHONE 2	
E-MAIL	

NATURE OF THE APPEAL _____

APPELLANT SIGNATURE _____

FOR OFFICE USE ONLY

PROCESSING:

FEE(S): 200.00 COMMISSION DISTRICT 4 FLU/ZONING R-1AA/LDR

BCC HEARING DATE _____ (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS North side of North St @ the intersection of Hilltop Pl & North St.

PLANNING ADVISOR MVL DATE 8/2/05

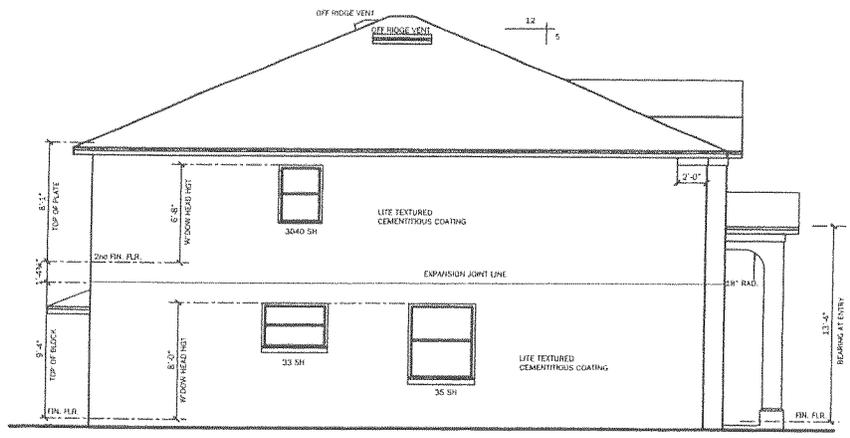
SUFFICIENCY COMMENTS _____

REVISIONS	BY

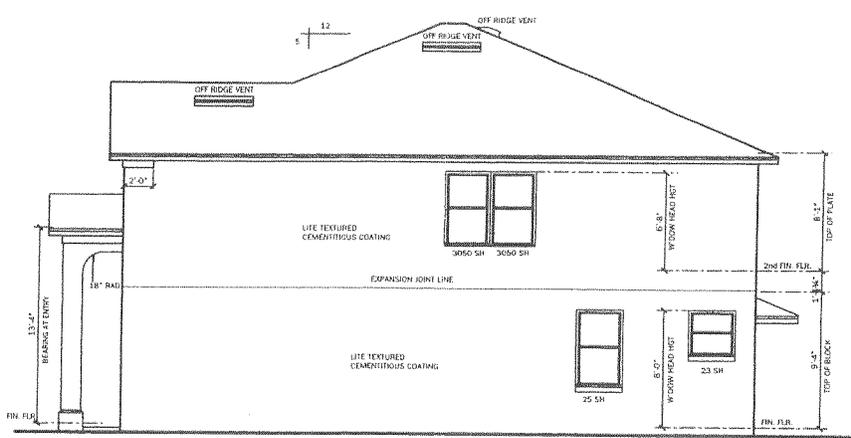
PARADISE DESIGN & CONSTRUCTION
 4121 DIJON DRIVE
 ORLANDO, FLORIDA 32808

ORLANDO PROPERTY GROUP
 320 SABAL PALM LANE
 LONGWOOD, FLORIDA 32779

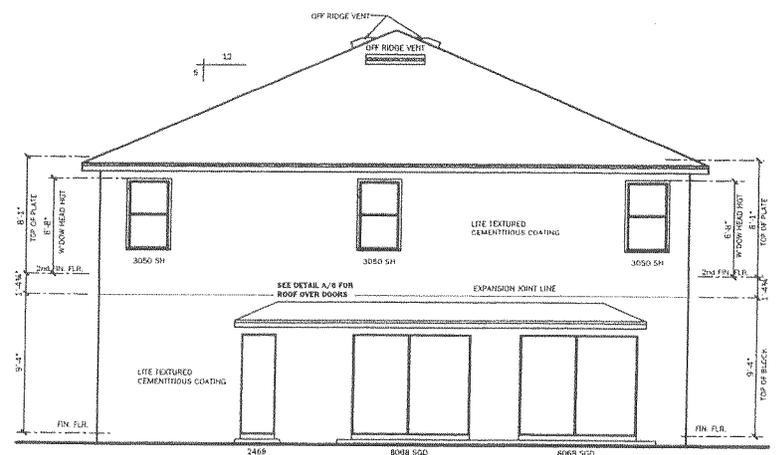
DRAWN	VERON
CHECKED	MT
DATE	6/12/05
SCALE	AS SHOWN
JOB NO	2005-17
SHB	



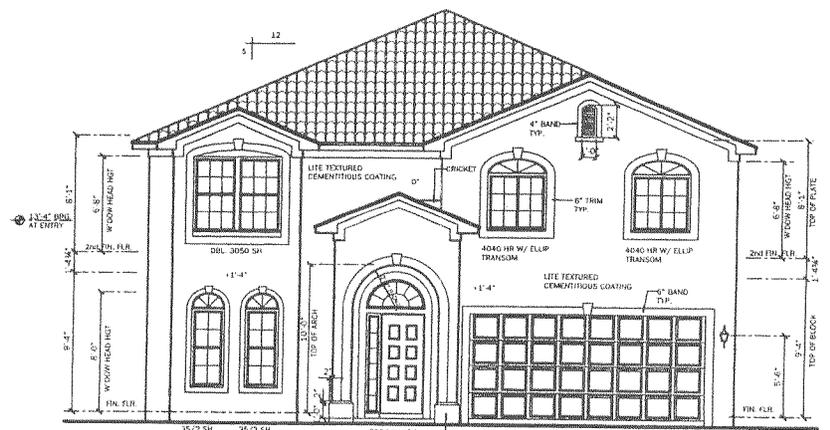
LEFT ELEVATION
 SCALE: 1/4" = 1'-0"



RIGHT ELEVATION
 SCALE: 1/4" = 1'-0"



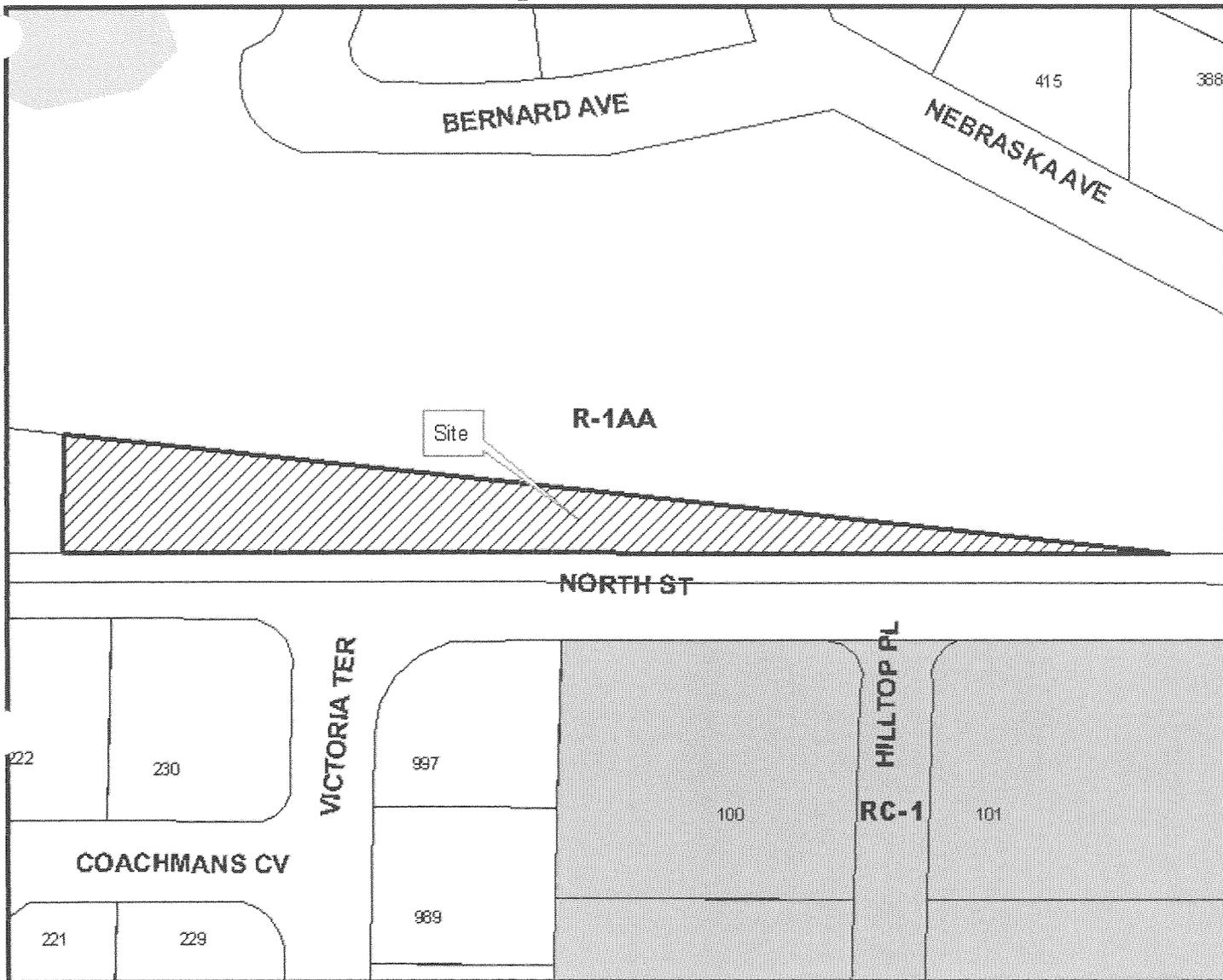
REAR ELEVATION
 SCALE 1/4" = 1'-0"



FRONT ELEVATION
 SCALE 1/4" = 1'-0"

PARCEL DETAIL DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7506																					
GENERAL Parcel Id: 01-21-29-5CK-310F-0010 Tax District: 01-COUNTY-TX DIST 1 Owner: ORLANDO PROPERTY GROUP INC Exemptions: Address: 320 W SABAL PALM L City,State,ZipCode: LONGWOOD FL 32779 Property Address: NORTH ST LONGWOOD 32750 Facility Name: Dor: 99-ACREAGE NOT AGRICULT		2005 WORKING VALUE SUMMARY Value Method: Market Number of Buildings: 0 Depreciated Bldg Value: \$0 Depreciated EXFT Value: \$0 Land Value (Market): \$103 Land Value Ag: \$0 Just/Market Value: \$103 Assessed Value (SOH): \$103 Exempt Value: \$0 Taxable Value: \$103 Tax Estimator																			
SALES <table border="1"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> </tr> </thead> <tbody> <tr> <td>CERTIFICATE OF TITLE</td> <td>11/2004</td> <td>05522</td> <td>0745</td> <td>\$193,600</td> <td>Vacant</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>07/1999</td> <td>04148</td> <td>0951</td> <td>\$100</td> <td>Improved</td> </tr> </tbody> </table> Find Comparable Sales within this DOR Code		Deed	Date	Book	Page	Amount	Vac/Imp	CERTIFICATE OF TITLE	11/2004	05522	0745	\$193,600	Vacant	QUIT CLAIM DEED	07/1999	04148	0951	\$100	Improved	2004 VALUE SUMMARY 2004 Tax Bill Amount: \$2 2004 Taxable Value: \$103 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS	
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NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes. *** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.																					

Vernon J. Thompson
 North Street
 Longwood, FL 32750

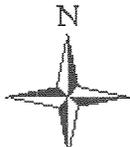
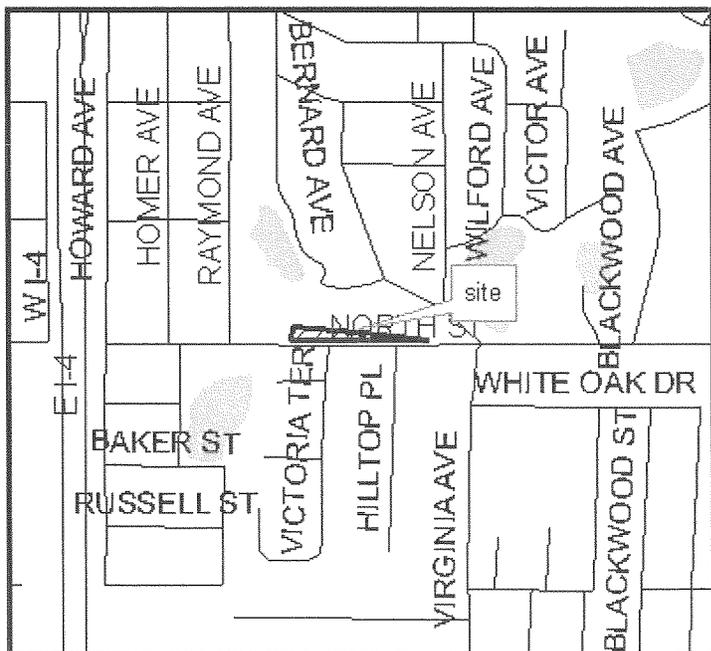


Seminole County Board of Adjustment
 September 26, 2005
 Case: BV2005-118
 Parcel No: 01-21-29-5CK-310F-0010

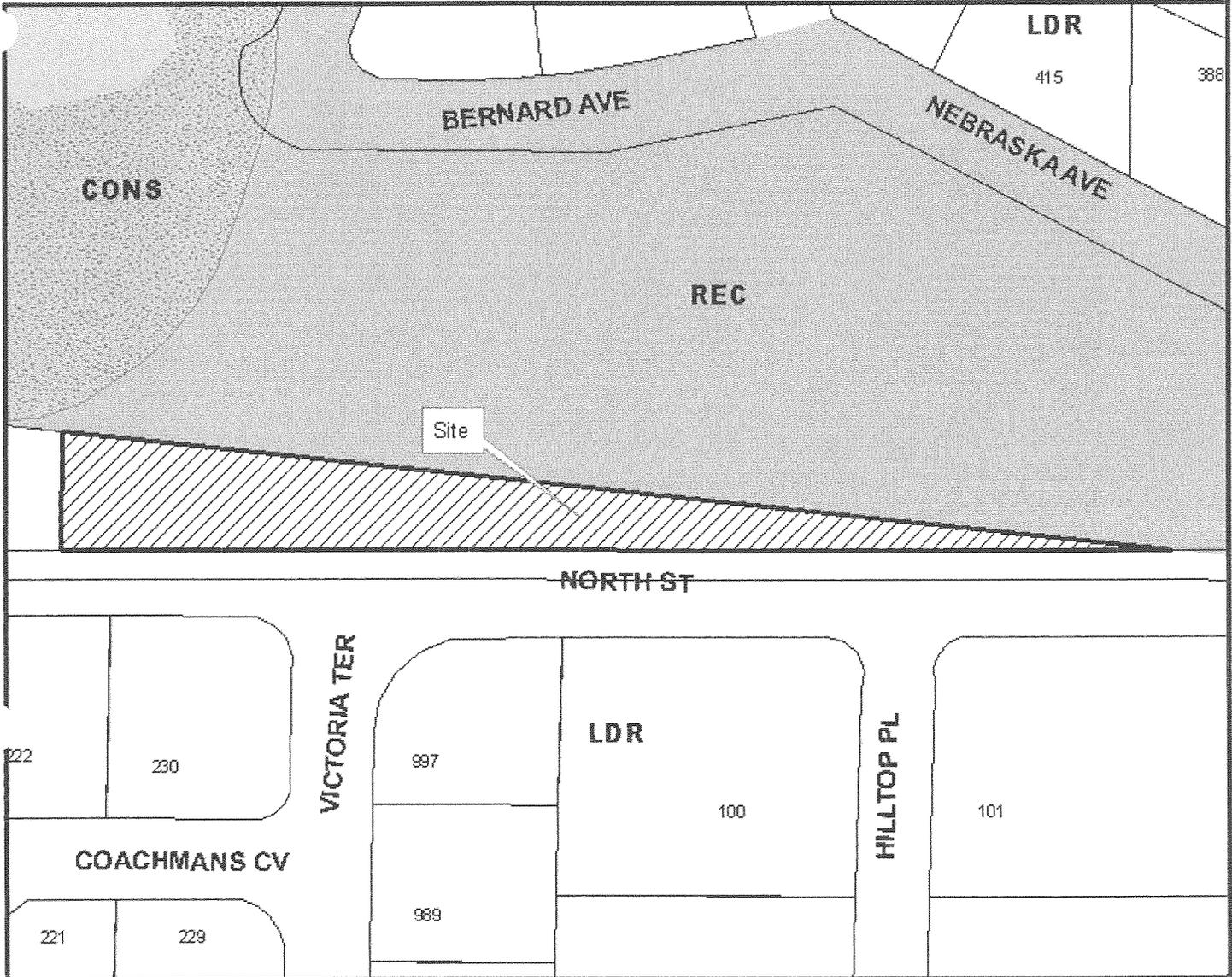
Zoning

-  RC-1 Country Homes-1Ac
-  R-1AA Single Fam-11700
-  BV2005-118

0 20 40 80 120 160 Feet

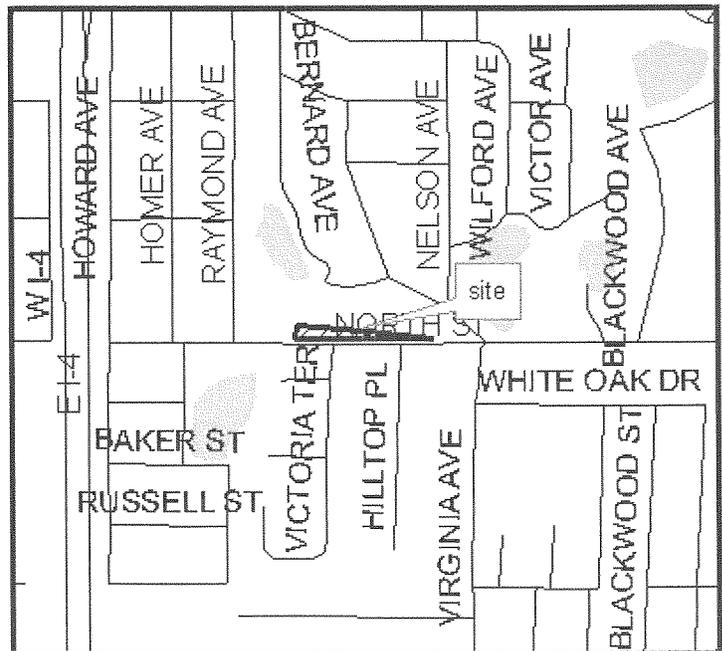
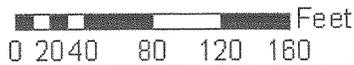
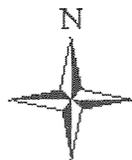
Vernon J. Thompson
 North Street
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Future Land Use

-  CONS, REC
-  REC, NONE
-  LDR, NONE
-  BV2005-118



SANLANDO SPRINGS

SEMINOLE COUNTY, FLORIDA.

E.E. WHITE, CIVIL ENGR.
ORLANDO, FLORIDA.

SCALE: 1"=100 FT.
DATE: MAY 1926.

TRACT

DESCRIPTION
S. 1/4 S. E. 1/4 Sec. 2 T. 21 S. R. 29 E.

NO. 31

DIRECTOR'S CERTIFICATE

Know All Men By These Presents: That we Herbert E. Sanderson & I. W. Phillips, President and Secretary respectively of the Sanlando Springs Corporation, the owners of the land described in the Caption, do hereby authorize and accept the Survey and Plat hereon, and do hereby dedicate to the use of the Public, all streets, alleys and parks, shown hereon as streets, alleys and parks.

Witness our hands and official seals this 6th day of May, A.D. 1926.

M. J. Wilson
Witness
Amel Schwab
Witness

Herbert E. Sanderson
President
I. W. Phillips
Secretary

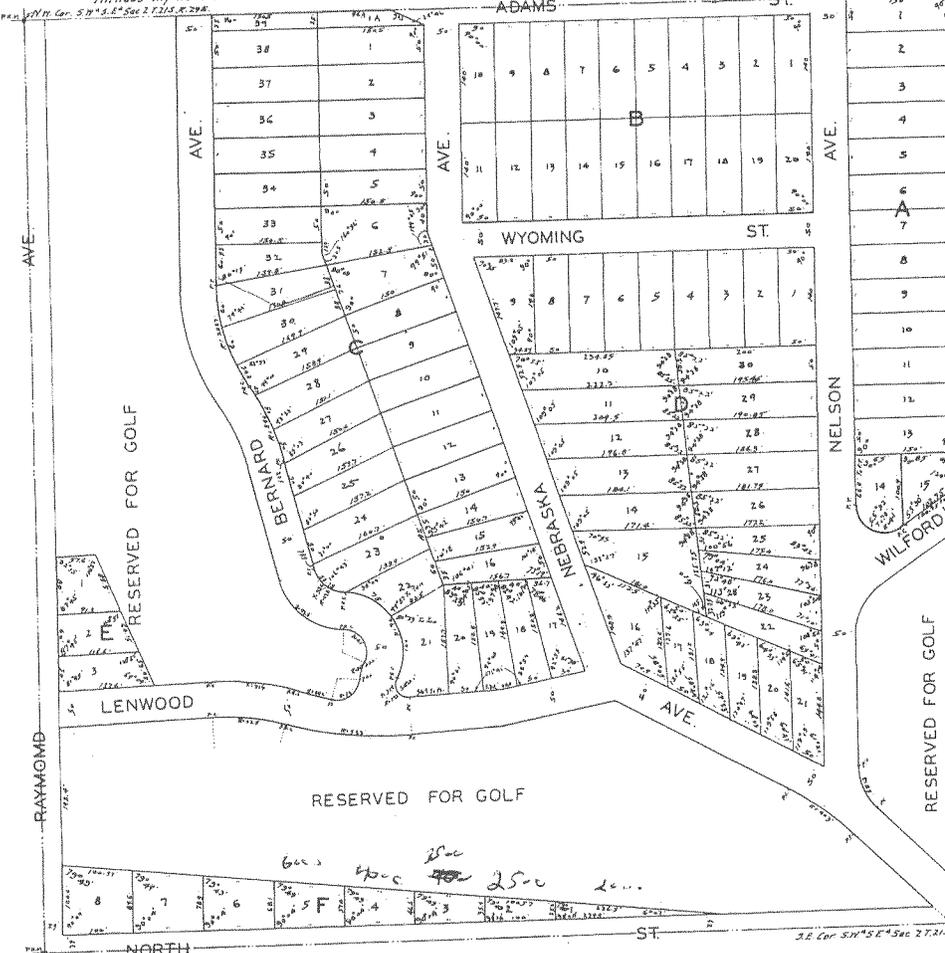
ENGINEER'S CERTIFICATE

Personally appeared before me E. E. White, Civil Engineer, who being duly sworn deposes and says, that the Plat herein is a true and correct representation of the Survey and Subdivision of the land described in the Caption and that Permanent Reference Monuments have been placed as shown hereon. All measurements are shown in feet and decimals of a foot. Subscribed and sworn to before me this 19th day of May, A.D. 1926. My commission expires 12-14-29.

E. E. White
Civil Engineer
H. M. Linschmeper
Notary Public

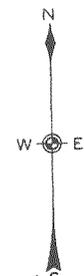


County of Orange, State of Florida. Personally appeared before me Herbert E. Sanderson & I. W. Phillips, President and Secretary respectively of the Sanlando Springs Corporation, a Corporation under the laws of the State of Florida, to me known to be the persons designated in and who executed the foregoing Certificate of Ownership and severally acknowledged the execution thereof to be their free act and deed as such officers for the uses and purposes therein mentioned, and that they affixed thereto the official seal of said Corporation, and said instrument is the act and deed of said Corporation, authorized by the Board of Directors. Witness my hand and official seal of Orlando in said County and State this 6th day of May, A.D. 1926. My commission expires January 17/1929.



Notary Seal: *Amel Schwab*, Notary Public, State of Florida, Commission Expires 12-14-29.
This Plat was approved by the Board of County Commissioners of Seminole County, Florida, at a meeting held at Sanford, in said County and State this 7th day of June, A.D. 1926.
W. B. Douglas, County Clerk
By: *A. M. Wheeler*, Sec.

Note: Irons have been placed at all block corners on lots 21 & 22 of Block E. The front lot of lots are run with 25 ft chords.



#25874
Filed this 14 day of June 1926 at 4 P.M. and recorded in Plat Book No. 8 Page 13 of the Public Records of Seminole County, Florida, this 14 day of June A.D. 1926.
W. B. Douglas, County Clerk
By: *A. M. Wheeler*, Sec.

Plat Shows
Width
Accuracy
Checked Records
Checked E. E. W.

515

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On September 26, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOTS 1-5 BLK F TRACT 31 SANLANDO SPRINGS PB 5 PG 15

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: ORLANDO PROPERTY GROUP INC
320 W SABAL PALM L
LONGWOOD, FL 79

Site Address: NORTH STREET (LOTS 1-5)

Requested Development Approval:

- (1) FRONT YARD SETBACK VARIANCE FROM 25 FEET TO 15 FEET FOR A PROPOSED SINGLE-FAMILY HOME IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT).
- (2) REAR YARD SETBACK VARIANCE FROM 30 FEET TO 13 FEET FOR A PROPOSED SINGLE-FAMILY HOME IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT).

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Order**NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:

THE VARIANCE GRANTED SHALL APPLY ONLY TO THE EXISTING
LOT AND PROPOSED SINGLE FAMILY HOME, AS DEPICTED ON
THE ATTACHED SITE PLAN.

- (4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: _____
Tony Walter
Planning Manager

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

I **HEREBY CERTIFY** that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Matthew West who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2005.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

Order

OWNER'S CONSENT AND COVENANT

COMES NOW, _____, the owner of the aforescribed property in this Development Order, on behalf of itself and its heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

Witness

Print Name

Witness

Print Name

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared _____ who is personally known to me or who has produced _____ as identification and who did take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 20____.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: